

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
OCTOBER 3, 2000**

Meeting was called to order at 6:08 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present:	Commissioner Gloria F. Katz Commissioner Carlton B. Moore (6:11 – 8:03 P.M.) Commissioner Cindi Hutchinson Commissioner Tim Smith Mayor Jim Naugle
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Absent:	None
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Also Present:

City Manager	F. T. Johnson
City Attorney	Dennis E. Lyles
City Clerk	Lucy Masliah
Sergeant at Arms	Sergeant Waldman

Invocation was offered by Reverend George Barker, First Baptist Church of Fort Lauderdale.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

September 19, 2000

Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

NOTE: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle offered Expressions of Sympathy, on behalf of the City Commission, to the families of *Dr. Kathleen G. Collette*, *Mr. Phil Baumgarten*, and *Ms. Shannon Joy Calvey*.

2. Smoke Detector Test

Commissioner Smith demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same.

3. Florida Neighborhood Conference Days

Commissioner Hutchinson read aloud and presented a proclamation declaring October 5 through 7, 2000 as "Florida Neighborhood Conference 2000 Days" in the City of Fort Lauderdale. She had been a participant in this Conference for many years prior to joining the City Commission, and it provided a forum for sharing ideas about improving communities. Commissioner Hutchinson stated that the 4th Annual Florida Neighborhoods Conference would be held at the Broward County Convention Center. It would offer more than 45 workshops for building and maintaining successful communities and showcase numerous neighborhoods and business districts. She recognized the many employees who had worked so hard on this Conference, along with sponsors, including the North Broward Hospital District and Memorial Hospital.

4. "Domestic Violence Awareness Month"

Commissioner Moore read aloud and presented a proclamation declaring October, 2000 as "Domestic Violence Awareness Month" in the City of Fort Lauderdale. He noted that Women in Distress was the only State-certified agency of its kind in Broward County, and it had been serving the community for 26 years. *Ms. Christine Thrower* accepted the proclamation on behalf of Women In Distress, Inc., as its President and CEO, and expressed appreciation for the City's continued commitment to end domestic violence in the community. She invited everyone to participate in the "Safe Walk" on Saturday to raise awareness of the need to end violence.

5. "Customer Service Week"

Commissioner Katz read aloud and presented a proclamation declaring October 2 through 6, 2000 as "Customer Service Week" in the City of Fort Lauderdale. Ms. Julie Cilenti, Revenue Collections Supervisor, accepted the proclamation on behalf all the customer service personnel in the City.

6. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- Officers Jerald Fuller and M. P. Smith, of the Police Department;
- Medea Rudd, Karen Van Assche, and Scott Denham, of the Risk Management Division of the Finance Department;
- Richard Stapleton, of the Administrative Services Department;
- Nancy Irene Ball, of the City Clerk's Office;
- Ronnie Lakatos, of the Parks & Recreation Department; and
- Firefighter/Paramedic Kenneth J. Gurdak and Driver-Engineer/FTO Walter S. Schrubbs, of the Fire-Rescue Department.

CONSENT AGENDA (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item, and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require detailed review or discussion. Items will be enacted by one motion. If discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – 29th Annual Winterfest Boat Parade (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Winterfest** to indemnify, protect, and hold harmless the City from any liability in connection with the **29th Annual Winterfest Boat Parade** to be held **Saturday, December 16, 2000 from 5:30 p.m. to 11:30 p.m.** on the Intracoastal Waterway; and further authorizing the placement of portable sanitation facilities, Winterfest souvenir merchandise, and food and nonalcoholic beverage stands on the east and west sides of the following bridges: E. Clay Shaw (S.E. 17 Street Causeway) Bridge, Las Olas Boulevard Bridge, Sunrise Boulevard Bridge, Oakland Park Boulevard Bridge, and Commercial Boulevard Bridge.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1385 from City Manager.

Event Agreement – Dockwalker Luau (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Dockwalk Publications** to indemnify, protect, and hold harmless the City from any liability in connection with the **Dockwalker Luau** to be held **Friday, October 27, 2000 from 6:00 p.m. to 12:00 midnight** at Berth No. 3 in Port Everglades.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1414 from City Manager.

Event Agreement – 20th Annual Feast of Plenty (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **First Baptist Church of Fort Lauderdale** to indemnify, protect, and hold harmless the City from any liability in connection with the **20th Annual Feast of Plenty** to be held **Saturday, November 11, 2000 from 11:30 a.m. to 1:30 p.m.**; and further authorizing the closing of Broward Boulevard from East 3 Avenue to U.S. 1 (Federal Highway) from 12:01 a.m. (1 minute after midnight) to 5:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1394 from City Manager.

Event Agreement – 30th Anniversary Celebration (M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **North Beach Square Neighborhood Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **30th Anniversary Celebration** to be held **Thursday and Friday, October 19 and 20, 2000, from 12:00 noon to 11:00 p.m.** at the Parrot Lounge, 911 Sunrise Lane.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1413 from City Manager.

Event Agreement – Fleet Week 2000 Picnic (M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Broward Navy Days, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Fleet Week 2000 Picnic** to be held **Monday, October 9, 2000 from 11:00 a.m. to 4:00 p.m.** at South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1415 from City Manager.

**Amendment to Governmental
Money Purchase Plan and Trust Adoption Agreement –
ICMA Retirement Corporation - IRS 401(a) Plan for Non-Classified Employees (M-6)**

A motion authorizing the proper City officials to execute an amendment to the Governmental Money Purchase Plan and Trust Adoption Agreement with ICMA Retirement Corporation to remove the annual limitations on contributions based on the IRS Section 457 contribution limits.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1469 from City Manager.

**Payment for Actuarial Services –
Gabriel, Roeder, Smith and Company – Collective Bargaining Process (M-7)**

A motion authorizing a payment in the amount of \$6,624 to Gabriel, Roeder, Smith and Company for actuarial services rendered in connection with the City's collective bargaining process.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1448 from City Manager.

Amendment to Nonprofit Acquisition and Improvement Loan (NAIL) – 100 Black Men of Broward County (M-8)

A motion authorizing an amendment to the NAIL approved May 2, 2000 with the 100 Black Men of Broward County in order to allow the purchase of property located at 736-738 N.E. 3 Avenue instead of the original property proposed at 610-614 North Andrews Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1279 from City Manager.

Dock Lease Agreement – Searock, Inc. (d/b/a Allied Marine Group) – Dockage on New River (M-9)

A motion authorizing the proper City officials to execute a lease agreement with Searock, Inc. (d/b/a Allied Marine Group) for 650 lineal feet of dockage on the New River (Slip Nos. 1-6 and 7-14) for a term beginning October 1, 2000 through September 30, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1230 from City Manager.

Transfer of General Fund Contingencies (FY 1999/2000) – Relocation of Office of Community and Comprehensive Planning to New River Post Office Site (M-10)

A motion authorizing the transfer of \$70,000 from General Fund Contingencies (FY 1999/2000) to Project 10294.331 in order to relocate the City's Office of Community and Comprehensive Planning to the old New River post office site.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1388 from City Manager.

Contract Award – AAA Fire Protection Systems - Project 10268 – City Hall 6th Floor Computer Room Fire Suppression System (M-11)

A motion authorizing the proper City officials to execute an agreement with AAA Fire Protection Systems in the amount of \$60,583 for the installation of a fire suppression system for the Computer Room located on the 6th floor of City Hall.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1303 from City Manager.

**Contract Award – Southeast Cattle Company, Inc. -
Project 10099 – East Oakland Park Boulevard Landscape Improvements (M-12)**

A motion authorizing the proper City officials to execute an agreement with Southeast Cattle Company, Inc. in the amount of \$80,017 for landscape improvements on East Oakland Park Boulevard.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1301 from City Manager.

**Change Order No. 2 – The Redland Company, Inc. -
Project 9956 – N.W. 15 Avenue Roadway Improvements (M-13)**

A motion authorizing the proper City officials to execute Change Order No. 2 with The Redland Company, Inc. in the amount of \$10,648.20 for the N.W. 15 Avenue roadway improvements.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 00-1300 from City Manager.

**Reimbursement of Costs –
Florida East Coast (FEC) Railway – Rehabilitation of N.E. 13 Street Crossing (M-14)**

A motion authorizing the proper City officials to submit payment to the FEC in the amount of \$65,154.07 for roadway maintenance improvements at the N.E. 13 Street railroad crossing.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1294 from City Manager.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
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	Office copier replacement plan for FY 00-01 Admin. Services	Various Vendors	<u>Pur-1</u> Per price agreements
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Bids Solicited/Received: 55/3 with 12 no bids

Exhibits: Memorandum No. 00-1379 from City Manager

Recomm: Approve office copier plan from Broward County and other competitively bid governmental contracts.

	Prop Purchase of annual software support and maintenance Admin. Serv./Info. Systems	SunGard Pentamation Bethlehem, PA	<u>Pur-2</u> \$23,941.00
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-944 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

	Prop Purchase of annual support INFORMIX database software Admin. Serv./Info. Systems	INFORMIX Software, Inc. Menlo Park, CA	<u>Pur-3</u> \$ 98,197.00
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1366 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase for annual software support.

Bid No.	Item/Service	Low Responsible Bidder	Amount
			<u>Pur-4</u>
	Labor and materials for emergency repair of fiber cable damaged by outside contractor	Bell South Mobility Ft. Lauderdale, FL Anixter, Inc. Orlando, FL	\$ 13,100.01
	Admin. Serv./Info. Systems		<u>1,236.34</u>
			\$ 14,336.35

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1399 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve emergency purchase.

			<u>Pur-5</u>
Prop	Purchase of interface software for Intergraph CAD system Police	Analysis Central System Tiburon, CA	\$ 16,000.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1336 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

			<u>Pur-6</u>
612-8359	One year contract for point excavation services (potholing) Public Services	F.R. Aleman & Associates, Inc. (MBE) Miami, FL	\$ 52,344.00 (estimated)

Bids Solicited/Received: 8/2

Exhibits: Memorandum No. 00-1312 from City Manager

Recomm: Award to low responsive and responsible bidder.

Bid No.	Item/Service	Low Responsible Bidder	Amount
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602-8229	Change order to increase encumbrance for setting and removal of street light poles Public Services	Horsepower Electric, Inc. Hialeah, FL	<u>Pur-7</u> \$ 35,000.00
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1383 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve change order.

Prop	Agreement for unlimited access to Autotrack data Police	Database Technologies Pompano Beach, FL	<u>Pur-8</u> \$ 19,200.00
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1412 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

202-8351	Two year contract for Police uniforms Police	Harrison Uniforms Miami, FL	<u>Pur-9</u> \$44,402.50 (estimated annual total)
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Bids Solicited/Received: 94/5 with 1 no bid

Exhibits: Memorandum No. 00-1278 from City Manager

Recomm: Award to low responsive and responsible bidder.

Bid No.	Item/Service	Low Responsible Bidder	Amount
Bid No.	Item/Service	Low Responsible Bidder	Amount
202-8338	Two year contract for leasing/maintenance of police motorcycles Police	Fort Lauderdale Harley Davidson Ft. Lauderdale, FL	<u>Pur-10</u> \$ 70,200.00

Bids Solicited/Received: 6/1

Exhibits: Memorandum No. 00-1162 from City Manager

Recomm: Approve low responsive and responsible bidder.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M8, M9, M10, M14, Pur. 4 and Pur. 8 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Nonprofit Acquisition and Improvement Loan (NAIL) –
100 Black Men of Broward County (M-8)

Commissioner Moore understood this program would offer training. Ms. Faye Outlaw, Housing & Community Development Manager, explained that agreements would be entered into with the various agencies under the NAIL Program, and those agreements would spell out the uses of the property and what would happen if those uses were discontinued. The City Attorney stated that if the training was discontinued, it would be considered a default, and the City would give immediate notice. At that time, the agency would be allowed 60 days to cure the default. If the default were not cured, the loan amount would be due and payable at that time.

Commissioner Moore asked if there were a certain number of individuals to whom training had to be provided. Ms. Outlaw replied that the number of clients were not dictated by the City. Rather, the agencies would indicate how many individuals would be served, and goals would be incorporated into the agreement.

Commissioner Moore asked how many individuals would be impacted by this program. Mr. Williams, 100 Black Men of Broward County, stated that between 2,000 and 3,000 young people had been involved in the program each year. He advised that the educational programs were coordinated with local schools and impacted about 50 young people through high school graduation and on to college. Commissioner Moore understood an outreach program would be administered from the subject site. Mr. Williams clarified that activities would occur on and off this site. He stated that administration would encompass about 1,500 square feet of the facility, and the classroom space measured 1,100 to 1,200 square feet. There was also a garage area that would be converted into a conference room for a total of approximately 3,200 square feet.

Commissioner Moore understood an Internet business and a business incubator would be provided. Mr. Williams stated that there were two clients who would have space at the facility, and young people used a 100BM Net system to design web sites. He noted that there would be office space, but not retail use. Commissioner Moore said he had been under the impression that there had been some discrepancy with the appraisal. Ms. Outlaw said the appraised value of the first property had not supported the selling price, and the Commission's approval had been contingent upon the appraisal. Therefore, this second property had been located, and there was no problem with the appraisal on this property.

Commissioner Smith was concerned about the buildings. It appeared renovations would cost \$250,000, and he wondered if it would be more feasible to demolish and reconstruct a new building. He pointed out that the City had some grant plans for this area. Mr. Williams advised that various alternatives had been explored, including building a new facility. He stated it would cost almost \$1 million to build a new facility, and the current facility location had serious security problems. Commissioner Smith thought the City could assist with security at Lincoln Park. Ms. Outlaw explained that the NAIL Program only allowed for acquisition and rehabilitation of existing structures.

Commissioner Moore asked Mr. Williams if the organization was insured against theft. Mr. Williams replied it was insured. Commissioner Moore believed burglary was always a possibility in any location. He noted that the City had recently acquired a property at 10th Avenue and Sistrunk Boulevard that would be suitable for this purpose. Commissioner Moore thought it would be in everyone's best interests to defer this item and investigate the possibility of using City-owned property. Mr. Williams said that the property Commissioner Moore mentioned had been researched, and the cost for renovating that building was estimated at \$350,000 to \$400,000 plus the purchase price. Commissioner Moore pointed out that the City owned the building now.

Motion made by Commissioner Smith and seconded by Commissioner Moore to defer Consent Agenda Item No. M-8 to November 7, 2000. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Dock Lease Agreement – Searock, Inc.

(d/b/a Allied Marine Group) – Dockage on New River (M-9)

Commissioner Katz wondered if this item had been presented to the Marine Advisory Board. Mr. Jamie Hart, Supervisor of Marine Facilities, stated that leases typically were not presented to the Board, although the uses were presented. He advised that the Board had approved this specific use in 1993, but it had never been the City's policy to present renewal of leases to the Board. However, the Board always reviewed new uses.

Commissioner Katz suggested that these items be presented to the Board because its members had some financial expertise that could prove helpful. Commissioner Smith noted that the Commission received status reports as part of its Conference Agendas, and he suggested the Board be provided similar status reports on the lease agreements. If the Board had any interest, it could be discussed.

Motion made by Commissioner Katz and seconded by Commissioner Moore that Consent Agenda Item No. M-9 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 6:58 P.M., Commissioner Moore left the meeting.

**Transfer of General Fund Contingencies (FY 1999/2000) –
Relocation of Office of Community and Comprehensive
Planning to New River Post Office Site (M-10)**

Commissioner Katz recalled that the Contingency Fund had a zero balance, so she wondered where the money was coming from. Mr. Terry Sharp, Assistant Director of Finance, stated that this was included in the proposed budget from 1999/2000 funds. Commissioner Hutchinson noted that one of the memoranda referred to an amount of \$90,000, and another referred to \$70,000. Mr. Sharp advised that the total was \$90,000. He explained that \$70,000 was coming from General Fund Contingencies and \$20,000 would come from the Capital Improvements Program (CIP).

Commissioner Hutchinson did not approve of this item. Mayor Naugle was also uncomfortable with this because once the office was in this location, it would be hard to get it out again. He also believed the cost would actually be more than \$90,000. Commissioner Smith agreed. He understood the Office of Community and Comprehensive Planning had to relocate, but there was some space across the street on the old helipad site. Commissioner Smith asked if the intent was to demolish the Cherry building.

Mr. Greg Kisela, Assistant City Manager, said the intent was to relocate the Cherry building, but staff would prefer to relocate it only once due to structural considerations. Commissioner Smith suggested relocating it to the old helipad site as a temporary use until the City Manager presented a plan for a new City Hall.

The City Manager stated the Cherry building had to be moved soon in order to begin construction of the long-awaited fire station. He asked if the Commission would allow him a couple of weeks to come up with a contingency plan for relocating the Office of Community and Comprehensive Planning, along with a recommendation about use of the post office site. The City Manager thought it might be a good idea to move forward with demolition while preserving the historic aspects and then to market the site. In the meantime, short term needs also had to be addressed, however. It was the consensus of the Commission to take no action on this item today.

**Reimbursement of Costs – Florida East Coast (FEC) Railway –
Rehabilitation of Northeast 13th Street Crossing (M-14)**

Commissioner Katz said she had received a letter from Amy Jones Hamilton who had indicated there were some problems with how the street had been repaired. Mr. Hector Castro, City Engineer, said that he had received a copy of that letter this evening, and he would investigate. It was his understanding that the problem with the roadway was outside the construction area involved in this reimbursement.

At 7:05 P.M., Commissioner Moore returned to the meeting.

Mr. Castro stated that medians were going to be constructed along 13th Street, and he believed that would be presented at the next meeting. Once those medians were constructed, the entire road would be resurfaced, probably in January. In the meantime, a temporary patch could be provided if necessary.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-14 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Emergency Repair – Fiber Cable (Pur. 4)

Commissioner Katz asked if reimbursement would be sought from the contractor in this case. Mr. Kirk Buffington, Purchasing Division, stated that staff was pursuing reimbursement for two contractors that had been on site at the time the cut occurred. He advised that demand letters were being drafted, but it had been necessary to make the repairs immediately. Commissioner Katz was concerned that each contractor would blame the other.

Mayor Naugle asked which two contractors were involved. Mr. Mark Pallans, Telecommunications Manager, replied that the situation involved Colonna Paving and Simpson Construction. He believed that both companies had damaged the cable, and it was a question now of degree.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 4 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Proprietary Purchase – Unlimited Access to Autotrack Data (Pur. 8)

Commissioner Katz thought it appeared there was only one company that had control over this, but another company would probably emerge. She wondered if the City could lease for six months rather than purchasing this system. Mr. Buffington stated that the City was not actually purchasing anything. Rather, there was a flat fee for access to the database. He compared it to Internet activity and explained that the Police Department had been using this for four years under several different agreements, and this was still the only company that provided this relational database in a useable form. Mr. Buffington said staff would continue to seek alternatives, however.

Motion made by Commissioner Katz and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 8 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Proposed Lien Settlements for
Special Master and Code Enforcement Board Cases (M-15)**

A motion was presented authorizing the settlement of the following Special Master and Code Enforcement Board cases:

1. CE99031319 – Isle Apartments LLC, 1300 N.E. 3 Street (\$912)
2. 9505596 – Arlene and Sue Farber, 1120 N.E. 2 Avenue (\$9,500)
3. 9401120 – Kevin S. Smith, 1222 N.W. 7 Avenue (\$6,562.50)
4. CE99051090 – NationsBank, 1733 N.W. 18 Street (\$1,200)
5. CE99051009 – One Corporate Center, L.P., 110 East Broward Boulevard (\$3,615)
6. CE99031655 – Britannia Condominium Association, Inc., 524 Orton Avenue (\$10,000)
7. 9100965 – Willie Lewis, Jr., 1337 N.W. 19 Avenue (\$1,250)

Motion made by Commissioner Katz and seconded by Commissioner Smith to authorize lien settlements 1, 2, 4, 5 and 7 as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

3. 9401120 – Kevin S. Smith, 1222 N.W. 7 Avenue (\$6,562.50)

Mr. Kevin Smith stated that this was about a fine on a property he owned that had run from March 17, 1994 to August 31, 1995. He advised that the case had involved a commercial truck allegedly parked on his property, along with unlicensed vehicles. Mr. Smith said the original lien had been for \$52,800 or \$100 per day for each offence. He advised that he had tried to negotiate the issue with Code Enforcement personnel, and the commercial truck charge had been dropped because it had not been observed on repeated inspections.

Mr. Smith stated that staff had inspected the property on several occasions and observed different vehicles on the property. The fines had subsequently been reduced to \$6,562.50, and Mr. Smith had evicted the tenants. He had also patrolled the property and installed signs.

Mr. John Simmons, Assistant Director of Community Inspections, stated that there had been disabled vehicles on the subject property for a little over a year, and Florida Statutes indicated that fines stay in place until the violation was corrected. He had been unable to come to agreement with Mr. Smith who planned to let the property be foreclosed, but then Mr. Smith had started talking with Mr. Fenel Antoine about purchasing the property. Mr. Simmons felt the settlement was fair, and everyone had agreed to it at the time of the latest negotiation. He had since discovered that Mr. Smith and Mr. Antoine planned to appear before the Commission to have the amount further reduced.

Commissioner Moore understood Mr. Smith owned several other properties in Fort Lauderdale. Mr. Smith agreed he owned five others at 1400 Northeast 53rd Court, 1760 Northwest 18th Street, 6831 Northwest 26th Avenue, 4120 Northwest 10th Terrace and this property at 1222 Northwest 7th Avenue. Commissioner Moore wondered how Mr. Smith handled his other tenants if they did not comply with the Code. Mr. Smith said this was the first rental property he'd had back in 1994. He had written to the tenant and involved his attorney as well, but he had finally had to evict that tenant. Mr. Smith had tried to be compassionate because the tenant had a family, but he wished he had evicted him sooner.

Commissioner Smith asked Mr. Smith what he intended to do with the property. Mr. Smith said he intended to sell it to Mr. Antoine. *Mr. Fenel Antoine*, prospective buyer, wanted to purchase the property and rehabilitate it. Mayor Naugle understood there would be no more junk cars on the property. Commissioner Smith suggested a settlement of 15% of the fine amount of \$4,000. Commissioner Katz understood Mr. Antoine was a worthy individual, but this fine was against Mr. Smith.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to settle this lien in the amount of \$4,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Katz.

Motion made by Commissioner Smith and seconded by Commissioner Moore to reconsider this lien settlement. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Katz.

Commissioner Smith pointed out that Mr. Antoine was an active citizen within the community, and he was happy that he was moving into this area. Commissioner Moore wanted to make sure that the only way Mr. Smith would receive the \$4,000 settlement was if he sold the property to Mr. Antoine.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve a \$4,000 settlement provided the property was sold to Mr. Fenel Antoine. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Katz.

6. CE99031655 – Britannia Condominium Association, Inc. 524 Orton Avenue (\$10,000)

Ms. Mary Ellen Kennel stated that this condominium had been fined for \$10,000 for violations of fire codes, and the association had not been aware the fire alarm system was not working properly until someone had set it off. She advised that the President of the association had never told anyone else about fines running, and he had moved away. Ms. Kennel stated that the problem had been rectified.

Mr. Simmons said this had been a difficult case because the fire alarm system had problems with pull stations necessary to evacuate the building in case of fire. It had taken over seven months to do minor repairs to the fire alarm system, but there had also been a problem with egress. He explained that items were stacked in front of the exits, which had been removed, but the items had been replaced. Mr. Simmons believed there had been a change in ownership, but when there were life safety issues, he felt the City needed to send a message. He noted that the recommended settlement came to about \$1,000 per unit owner.

Motion made by Commissioner Smith and seconded by Commissioner Moore to authorize the lien settlement as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

City Commission Request for Review – Site Plan/CB -

Walgreen Co. et al/Florida Property Investment Partners, Inc.

(PZ Case No. 93-R-00) (M-16)

A motion was presented setting a public hearing date of October 17, 2000 in conjunction with review of the following development:

Applicant:	Walgreen Co. et al/Florida Property Investment Partners, Inc.
Request:	Site plan review/CB
Location:	Southwest corner of the intersection of Davie Boulevard and U.S. 1 (Federal Highway)

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to schedule a public hearing on October 17, 2000 to review Walgreen Co. et al/Florida Property Investment Partners, Inc.'s request for site plan review/CB. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**City Commission Request for Review – Development Review/
Amphitheater and Fountain at Bubier/DDA Plaza –
Downtown Development Authority (DRC Case No. 132-R-00) (OB)**

A motion was presented setting a public hearing date of October 17, 2000 in conjunction with review of the following development:

Applicant: Downtown Development Authority
Request: Development review/amphitheater and fountain
Location: Bubier/DDA Plaza

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that the public hearing of October 17, 2000 not be set. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**City Commission Request for Review – Continuation of
Nonconforming Status for Restaurant with Nonconforming Parking –
TSC Sunrise, Ltd. (NC Case No. 20-NC-00) (OB)**

A motion was presented setting a public hearing date of October 17, 2000 in conjunction with review of the following development:

Applicant: TSC Sunrise, Ltd.
Request: Continuation of nonconforming status for restaurant with nonconforming parking
Location: 1245 North Federal Highway

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the public hearing of October 17, 2000 not be set. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Rezone RMM-25 to X-P/Allocate Flexibility/Site Plan Approval –
Sea Urchin, Inc. (PZ Case No. 10-ZR-00) (PH-1)**

At the regular meeting of the Planning & Zoning Board on August 16, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the public hearing was published on September 21 and 28, 2000.

Applicant: Sea Urchin, Inc.
Request: Rezone RMM-25 to X-P/allocate flexibility/site plan approval
Location: 1000 Block of Southeast 2nd Court, between Southeast 9th Avenue and Southeast 10th Terrace

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner More and seconded by Commissioner Smith that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-00-58

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO XP, THE WEST HALF OF LOT 2 TOGETHER WITH ALL OF LOT 3, BLOCK 14, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF SOUTHEAST 2ND COURT, BETWEEN SOUTHEAST 9TH AVENUE AND SOUTHEAST 10TH TERRACE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate a Portion of a 16-Foot East/West Alley –
Florida Property Investment Partners (PZ Case No. 10-P-00) (PH-2)

At the regular meeting of the Planning & Zoning Board on August 16, 2000, it was recommended by a vote of 7 to 2 that the following application be approved. Notice of the public hearing was published on September 21 and 28, 2000.

Applicant: Florida Investment Partners
Request: Vacate a portion of a 16-foot east/west alley
Location: East/west alley south of Southeast 12th Street (Davie Boulevard) between U.S. 1 (Federal Highway) and Southeast 4th Avenue

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-59

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE 16 FOOT ALLEY IN BLOCK "27-L", "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 5 OF SAID BLOCK "27-L" AND BOUNDED ON THE EAST BY A LINE 25.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID BLOCK "27-L", LOCATED BETWEEN SOUTHEAST 12TH STREET (DAVIE BOULEVARD) AND SOUTHEAST 12TH COURT, ON THE WEST SIDE OF SOUTH FEDERAL HIGHWAY, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Rezone RMM-25 to X-P – Allocate Flexibility/Site Plan Approval –
New Generation Ministries (PZ Case No. 20-ZR-99) (PH-3)**

At the regular meeting of the Planning & Zoning Board on June 21, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the public hearing was published on August 25 and September 1, 2000. On September 6, 2000, first reading was deferred to October 3, 2000 by a vote of 5 to 0.

Applicant: New Generation Ministries, Inc.
Request: Rezone RMM-25 to X-P/allocate flexibility/site plan approval
Location: 500 West Sunrise Boulevard, south side of Sunrise Boulevard, between Northwest 4th and 5th Avenues

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-60

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO X-P, LOTS 7 AND 8, LESS THE WEST 32.00 FEET; LOT 9, LESS THE WEST 32.00 FEET OF THE NORTH 12.50 FEET AND LESS A TRIANGULAR PARCEL OF LAND HAVING 2 SIDES OF LENGTH 5.00 FEET ALONG THE WEST LINE OF SAID LOT 9 AND THE NORTH LINE OF THE SOUTH 12.50 FEET OF SAID LOT 9; TOGETHER WITH LOT 10 AND THE NORTH 12.50 FEET OF LOT 11; ALL IN BLOCK 206, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF NORTHWEST 4TH AVENUE, SOUTH OF WEST SUNRISE BOULEVARD AND NORTH OF NORTHWEST 9TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Vacate a Portion of Southeast 16th Street –
Broward General Medical Center (PZ Case No. 8-P-00) (O-1)**

At the Planning and Zoning Board regular meeting of July 19, 2000, it was recommended by a vote of 7 to 0 that the following application be approved. Ordinance No. C-00-51 was published on September 7 and September 14, 2000, and was passed on first reading at the Regular Meeting of September 19, 2000, by a vote of 3 to 0. (Also see Item O-2 on this Agenda).

Applicant: Broward General Medical Center
Request: Vacate a portion of Southeast 16th Street
Location: Southeast 16th Street, east of South Andrews Avenue

Mayor Naugle called for those who wished to be heard. There were none.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-51

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE RIGHT-OF-WAY FOR SOUTHEAST 16TH STREET AND SOUTHEAST 1ST AVENUE, AS SHOWN ON THE PLATS OF "BROWARD GENERAL HOSPITAL", AND "BROWARD GENERAL HOSPITAL ADDITION", ACCORDING TO THE PLATS THEREOF, RECORDED IN PLAT BOOK 60, PAGE 33 AND PLAT BOOK 90, PAGE 2, RESPECTIVELY, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH LINE OF TRACT "C" OF SAID "BROWARD GENERAL HOSPITAL ADDITION"; AND BOUNDED ON THE WEST BY A LINE PARALLEL WITH AND 3 FEET EAST OF, AS MEASURED AT RIGHT ANGLES, THE EAST RIGHT-OF-WAY LINE OF SOUTH ANDREWS AVENUE, (PLATTED AS ANDREWS BOULEVARD), AS SHOWN ON THE PLAT OF "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF ANDREWS AVENUE AND SOUTH OF SOUTHEAST 15TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Vacate 15-Foot Alley -
Broward General Medical Center (PZ Case No. 7-P-00) (O-2)**

At the Planning and Zoning Board regular meeting of July 19, 2000, it was recommended by a vote of 7 to 0 that the following application be approved. Ordinance No. C-00-52 was published on September 7 and September 14, 2000, and was passed on first reading at the Regular Meeting of September 19, 2000 by a vote of 4 to 0. (Also see Item O-1 on this Agenda).

Applicant: Broward General Medical Center
Request: Vacate 15-foot alley
Location: North-south alley between Southeast 15th and 16th Streets

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-52

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE 15 FOOT ALLEY IN BLOCK 34, "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHEAST 16TH STREET AND SOUTHEAST 15TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Amendment to Chapter 10 – Municipal Cemetery System (O-3)

An ordinance was presented amending Section 10-47 of the Code of Ordinances entitled "Municipal Cemetery System Funds," providing that capital improvements to the Cemetery System may be funded with excess accumulated income from the cemetery trusts and removing references to financial accounts no longer utilized in the operation of the Municipal Cemetery System; and, deleting Section 10-48 entitled "Duties of Director of Finance." Ordinance No. C-00-55 was published on August 27, 2000. On September 6, 2000, the City Commission voted to defer first reading to September 19, 2000 by a vote of 5 to 0. On September 19, 2000, the City Commission voted to defer first reading to September 26, 2000 by a vote of 4 to 0. Ordinance No. C-00-55 was passed on first reading at the Recessed Regular Meeting of September 26, 2000 by a vote of 4 to 0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-55

AN ORDINANCE AMENDING SECTION 10-47 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "MUNICIPAL CEMETERY SYSTEM FUNDS," PROVIDING THAT CAPITAL IMPROVEMENTS TO THE CEMETERY SYSTEM MAY BE FUNDED WITH EXCESS ACCUMULATED INCOME FROM THE CEMETERY TRUSTS AND REMOVING REFERENCES TO FINANCIAL ACCOUNTS NO LONGER UTILIZED IN THE OPERATION OF THE MUNICIPAL CEMETERY SYSTEM; AND DELETING SECTION 10-48, ENTITLED "DUTIES OF DIRECTOR OF FINANCE."

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to the Pay Plan (O-4)

An ordinance was presented amending Schedules I and II of the Pay Plan of the City, providing for title changes, the creation of new classes, the elimination of certain classes, pay range adjustments within classes, title changes and pay range adjustments within classes, amending special pay practices of Schedule I to provide for the elimination of an assignment pay position and to adjust assignment pay ranges, and amending the Pay Plan in order to provide for modifications in the schedules of pay range amounts for Supervisor, Professional, Managerial and Confidential employees. Ordinance No. C-00-56 was published on September 9, 2000, and was passed on first reading at the Recessed Regular Meeting of September 26, 2000 by a vote of 4 to 0.

Commissioner Moore introduced the following ordinance, as amended, on second reading:

ORDINANCE NO. C-00-56

AN ORDINANCE AMENDING SCHEDULES I AND II OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR TITLE CHANGES, THE CREATION OF NEW CLASSES, THE ELIMINATION OF CERTAIN CLASSES, PAY RANGE ADJUSTMENTS WITHIN CLASSES, TITLE CHANGES AND PAY RANGE ADJUSTMENTS WITHIN CLASSES, AMENDING SPECIAL PAY PRACTICES OF SCHEDULE I TO PROVIDE FOR THE ELIMINATION OF AN ASSIGNMENT PAY POSITION AND TO ADJUST ASSIGNMENT PAY RANGES, AND AMENDING THE PAY PLAN IN ORDER TO PROVIDE FOR MODIFICATIONS IN THE SCHEDULES OF PAY RANGE AMOUNTS FOR SUPERVISORY, PROFESSIONAL, MANAGERIAL AND CONFIDENTIAL EMPLOYEES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 7:33 P.M., the meeting was recessed. It was reconvened at 7:40 P.M.

Create Section 5-36, "Patron Age Restrictions" to Prohibit Persons Under the Age of 21 in Alcoholic Beverage Establishments (O-5)

An ordinance was presented amending Chapter 5 of the Code of Ordinances to create Section 5-36 entitled, "Patron Age Restrictions," to prohibit persons under the age of 21 from entering or remaining, or from being permitted to enter or remain, within alcoholic beverage establishments; and, providing for definitions, exceptions, and an effective date. Ordinance No. 00-54 was published on September 23, 2000 and was passed on first reading at the Regular Meeting of September 19, 2000 by a vote of 3 to 1 (Commissioner Hutchinson).

The Police Chief stated that on September 6, 2000, the Commission had directed staff to prepare an ordinance prohibiting entry of persons under the age of 21 into alcoholic beverage establishments. On September 19, 2000, the ordinance had been adopted on first reading. Since that time, the only change in the language of the ordinance relating to an exception for military personnel with proper identification.

Mr. Ray Doumar, Attorney, said he had been meeting with staff on the preparation of this ordinance, and there had been frequent reference to the City of Miami Beach, which had a similar ordinance. He had thought the intent was to use that as a model, but this ordinance was entirely different. Mr. Doumar explained that Miami Beach allowed those less than 21 years of age to enter any establishment that served full course meals. However, this ordinance went beyond that, requiring the service of full course meals and sales of meals that amounted to more than half of total sales.

Mr. Doumar stated that there were about 800 establishments licensed in Fort Lauderdale, and about 90 of those had over 200 seats. He was concerned about how this ordinance might affect small Chinese or Italian restaurants, for example, that did not have food sales of more than 51% of total sales. Mr. Doumar pointed out that no one under 21 years of age could enter those premises. He noted that a married couple aged 20 years with a child could not sit down for a sandwich at a table along the beachfront without asking first if alcoholic beverages were sold. If so, they had to inquire as to whether full course meals were sold, and then they had to determine if the restaurant's sales of food equated to 51% or more of total sales. Mr. Doumar did not think the Commission understood the effect of this ordinance on these types of restaurants.

Mr. Doumar felt the proposed ordinance was far too broad. He did not believe the City Commission had the authority to adopt this ordinance either, as he had indicated at the last meeting. He stated that this City did not have one of the enumerated powers delegated to municipalities by the Florida Legislature. Mr. Doumar said the City could act in matters of zoning, health and sanitation, hours of operation, and the type of entertainment. He took issue with the City Attorney's position that the ordinance was defensible, although he was not sure what that meant. As far as he could determine, research indicated the City did not have the authority to enact this ordinance, so he hoped the Commission would reconsider this ordinance because it was far too broad and did not meet Constitutional muster.

Commissioner Moore wondered why Miami had the authority to adopt this type of ordinance, but Fort Lauderdale did not. Mr. Doumar stated that the Miami Beach ordinance allowed young people to enter restaurants that served full course meals. However, this ordinance was much more restrictive because those under 21 years of age could not even enter an establishment unless food sales met the 51% food to alcohol ratio.

Mr. George Platt, Attorney representing Club Atlantis, stated that he had sent a letter to the City Attorney with the legal research he had done indicating that State law preempted regulation of age as to those entering alcoholic beverage establishments. Since the State had legislated extensively in this area, it precluded City regulation excepting those powers expressly delegated to cities by State law. He said that the City of Oakland Park had requested an Attorney's General Opinion in this regard due to concerns that young people would start coming to that local when they could no longer frequent the clubs and restaurants in Fort Lauderdale. Mr. Platt suggested that the Commission defer second reading of this ordinance pending that Attorney General's Opinion, and give the other measures recently implemented a chance to work. He also did not know that there were problems in any area other than the beach, yet this ordinance would affect many other establishments in Fort Lauderdale, and he viewed this as a "draconian" solution.

Mr. Platt believed every attorney would agree that laws had to be applied uniformly, which was why this law could not be passed relative only to the beach. However, it included an exception for military personnel. Mr. Platt said government could not just pick out a special group of people for different treatment, and there was no rational basis for exempting military personnel from this ordinance. He also pointed out that the statistical information about problems at Club Atlantis showed it was rather minor in light of the fact that over 500,000 people had visited the Club over the past 18 months. Although that did not mean the problem should not be addressed, he did not think there was any strong record indicating that those under 21 visiting a controlled club were causing the problems. Mr. Platt pointed out that the City Commission could always adopt this ordinance later, but he felt it should give newly established regulations and work plans a chance to work first.

Commissioner Smith asked the City Attorney to comment on the exception for military personnel. The City Attorney stated that exempting a group of individuals did, in fact, create some additional risk in terms of defending the ordinance. It was his understanding that the Commission was aware of that, but it appeared they were prepared to take that additional risk at that point. The City Attorney agreed the ordinance would be more defensible without the exemption for military personnel.

Mr. W. George Allen, Attorney representing the Gill family and Gill Hotels, supported the ordinance. He stated that he also lived in this area on Bayshore Drive, and he favored patron age restrictions. He presented some charts indicating that 34% of beach arrests occurred between midnight and 4:00 A.M., and people under 21 years of age accounted for 23% of all beach arrests in Fort Lauderdale. Further, 31% of arrests made near Club Atlantis involved people under the age of 21 years. He believed this demonstrated the great need for this ordinance. Mr. Allen added that no one had challenged Miami Beach's ordinance. Mr. Allen asked the business owners to stand who were present in favor of this ordinance.

Mr. Alan Forgea, President of the Beach Council of the Chamber of Commerce, stated that the Beach Council maintained its adamant support of this ordinance. He advised that he would express his personal opinion on this subject later.

At 8:03 P.M., Commissioner Moore left the meeting.

Mr. Fred Taylor, Chairman of the Beach Council, stated that this organization was comprised of a number of business owners on the beach, including the Galleria Mall, Gill Hotels, Fort Lauderdale Beach Hotel, the Parrot Lounge, the Elbo Room, Bahia Mar and others. He reported that the Beach Council supported this ordinance, although the needs of young people were a concern. However, the Beach Council did not think alcoholic beverage establishments were the best place for them to be.

Ms. Alysan Childs, President of the Central Beach Alliance, stated that beach neighborhoods had been trying to find a solution to the problems on the beach for the past nine months. She could not address the rest of the City or other communities, but the Alliance had tried to work with everyone involved, and the problems still existed. Ms. Childs urged the Commission to adopt this ordinance tonight in the hopes that it would help resolve some of the problems at the beach.

Commissioner Smith wanted everyone to understand that this ordinance would not preclude anyone from providing music venues for young people to enjoy the local music scene. The only difference was that they would not be able to serve alcohol. The Police Chief agreed that was correct. This ordinance had nothing to do with music, music culture, or the activities of responsible, young adults. Rather, it addressed the commingling of age groups in places where alcohol was consumed. The City Attorney confirmed that clubs could continue to provide live entertainment to young people as long as the alcohol was put away during the times clubs were open to those under 21 years.

Mr. David Klein could not believe the Commission intended to pass this ordinance. He thought that if clubs stopped serving alcohol, they would be unable to make a profit. Further, he pointed out that he could vote at 18, but if he chose not to join the service, he could not enter restaurants. Mr. Klein said he would be 21 in just a few months, but he was a band member, and his young audiences would be eliminated. He felt this was a discriminatory ordinance.

Mr. Skip Murray, of the Chili Pepper, stated that a nightclub had tremendous overhead costs, and alcohol sales kept it going. He said he would love to provide a music venue without alcohol, but he could not make enough money to cover the overhead just selling cokes and admission tickets. Mr. Murray stated that the ordinance would not even allow him to make the patio area an alcohol-free area, and he hoped the Commission would not close other businesses because one on the beach had caused some problems.

Commissioner Smith asked the City Attorney if clubs could divide themselves so alcohol was served in one portion but not in another. The City Attorney stated that this ordinance was not drafted in that fashion, but a mechanism of that type could be created. He was not sure if enforcement would be feasible, however.

Mr. Daniel Golden, of Hollywood, referred to the statistical information provided and noted that Americans considered their civil rights extremely important. He felt the statistics were flawed in that the arrest information considered less than 21 years of age a single category, so that included everyone under the age of 18 as well. Further, there were more arrests of people aged 21 to 25 than of those who were under 21 years. He felt this ordinance discriminated against everyone under the age of 21 when, in fact, they were less of a problem than those over 21 years.

Mr. Dan Christensen said he owned the Evangeline, which was located about 50' from Club Atlantis. He stated that he had never been contacted by representatives of the Club Atlantis, and he supported this ordinance. Mr. Christensen stated that it was extremely difficult to control underage drinking in establishments where customers were moving freely about the premises because they could simply hand drinks to one another. He agreed the situation at Club Atlantis was out of control.

Mr. Andre Torres, of Coral Springs, did not understand why the City was trying to address underage drinking because that was the responsibility of the clubs.

Ms. Vicki Mowrey, of Fort Lauderdale, felt laws were necessary so all people could live in a community with a reasonable measure of assurance that they would be safe. She believed this ordinance would be good for the entire City. Although everyone would not be happy with it, the law already stated that no one under the age of 21 was permitted to drink alcohol, and she felt this ordinance would serve the entire community.

Mr. Sean Oliver, of Fort Lauderdale, believed the problem was kids on the beach, and that issue was not going to be addressed by this ordinance. He stated that kids drove to the beach as soon as they received their drivers' licenses, and this ordinance would not change that at all. Mr. Oliver said he was willing to work with the community to provide appropriate venues for kids, but he did not think this ordinance was the proper course of action.

Ms. Lauren Hunt, of Fort Lauderdale, pointed out that 18-year-olds were adults, and she thought this ordinance was the result of a big misunderstanding. She did not believe underage drinking had ever been the problem. Rather, the problem were crimes in the beach area, and this ordinance would not resolve the issue. Ms. Hunt hoped young people would not go unheard because this ordinance would force young people onto the streets. She also pointed out that 17 and 18-year-olds were punished as adults when they committed crimes, and she felt they should also be allowed entertainment as adults.

Mr. Mike Rivera, of Margate, was opposed to the ordinance. He stated that a concert had been staged on Friday to bring attention to this issue, and it had been attended by people of all ages until 3:00 A.M. Nevertheless, he did not believe there had been any police calls despite the broadness of the activity and a "worst case scenario." Therefore, he believed young people behaved responsibly, and this ordinance was too broad.

Mr. Fernando Soto, of West Palm Beach, said that when he had first come from Argentina, there had been nothing for him to do but watch television. He was now 17 years old, and he had found music had inspired him to change his ways and become a better person. Mr. Soto believed this would affect many clubs in Fort Lauderdale, and he thought other communities would follow suit.

Mr. Jeff Holler, of Coral Springs, believed the problem was clearly a particular club on the beach. He did not understand why that problem could not be addressed without such a broad ordinance.

Crystal, of Hallandale, felt this ordinance was nothing but discrimination against young people who looked different from other people. She did not think anyone listened to them because they were young. Referring to the statistics, Crystal thought it had been discriminatory to mention that 31% of crimes on the beach had been committed by those under 18 years of age without mentioning that 38% of the crimes had been committed by those over 21 years of age.

Ms. Gizelle Zamorano, of Miami, stated that no one had cared about the ordinance in Miami because there was nothing for young people to do there anyway, and most of them were not interested in "booty shaking." Ms. Zamorano said that without these clubs, she would have nowhere to go after the malls closed at 9:00 P.M. She agreed the ordinance was too broad.

Mr. Richard Gray, President of the Portofino Condominium Association, pointed out that this was not a ban on music but a means of preventing underage people from entering venues serving alcohol. He explained that residents of the Portofino were constantly subject to noise, harassment, trespass, etc., and he thought it was odd that the owner of Club Atlantis had taken such a combative stance. Mr. Gray urged the Commission to adopt this ordinance, which he hoped would reduce the problems on the beach for the residents who had been negatively affected for such a long time.

Mr. Bennett Zarren, said he was speaking on behalf of the North Beach Island Alliance, which overwhelmingly favored this ordinance. He believed the City had an obligation to determine if it could help sponsor concerts and similar activities for young people where alcohol was not being served.

Mr. Forgea pointed out that it was okay to disagree, and he had been moved by the words of the young people who had come out to address this issue. He respected that they were here to stand up for what they believed in, and he hoped they would respect those who were standing up for what they believed in even though it was different. Mr. Forgea said he had heard from the young people here that they did not drink and only wanted to hear and play their music. Therefore, he believed he had an idea. He stated that with the help of the City, he hoped to create a non-profit organization to be known as "The Sounds of Young Fort Lauderdale." Mr. Forgea said this organization could help fund and promote the musical and artistic talents of young people in the community, so local bands could apply for funds by meeting certain criteria like being drug-free and Fort Lauderdale residents. He explained that the goal would be to help offset overhead costs associated with providing live entertainment for those venues that were considering non-alcoholic concerts.

Mr. Forgea thought it was apparent that the concertgoers here were under 21 and claimed they did not drink anyway. He reported that he had already obtained pledges in excess of \$20,000 for this foundation, but he would need the ideas of assistance of all the young people in the audience. Mr. Forgea hoped the Commission would pass this ordinance and pledged that as soon as they did, he and his fellow business owners would work together to provide an alternative venue for the young artists in this community to help promote their music.

Mayor Naugle thanked Mr. Forgea for a wonderful idea. Commissioner Smith thought it was a good idea, too, although the audience reaction suggested a different name for the organization might be in order.

Mr. Nikoma Rios, of Fort Lauderdale, was concerned about families who wanted to see a particular band but could not bring their children. He did not believe bands would want to perform in Fort Lauderdale if their audiences were limited to those over 21 years of age. Mr. Rios said he was in a band, but not all of its members were 21 years old. He also stated that young people were responsible for themselves and did not need a supervised organization when the problem itself could be targeted. Mr. Rios noted that a recent article in "City Link" indicated that 750 people had been arrested in the beach area between January and June, but only 5% were those under 18 years of age, with 18% attributed to 18 to 21-year-olds. He concluded that 77% were people over 21 years of age, so he did not believe this ordinance would eliminate the problem.

Commissioner Smith reminded everyone that employees of clubs, which included band members, were exempt from the requirements of this ordinance.

Mr. Don Carter, of Hollywood, asked everyone who was opposed to this ordinance to stand. He pointed out that the problem revolved around a single area of the beach, and far more were opposed to the ordinance than supported it. Mr. Carter understood the concerns of beach area residents, but this ordinance affected the entire City. He suggested trying other methods before blanketing all of Fort Lauderdale, which would not solve the problem.

Ms. Avital Stark, a resident of Tamarac, said she frequented Fort Lauderdale establishments, and she did not think all of the people present would have come to this hearing if this ordinance would not affect the music scene. She did not believe these music venues could remain open without selling alcohol, and it was difficult to find venues for this type of music in the first place. Ms. Stark did not think this was the problem of young people, but the problem of the Club Atlantis.

Mr. Gabriel Katz, of Plantation, opposed the ordinance for reasons stated earlier. He pointed out that the statistics presented pertained only to the beach area.

Mr. George Stewart, of Miami, understood that underage drinking was a problem, but he did not believe this ordinance would resolve the problem. In fact, he thought the young people would only be driven to other areas and cause problems elsewhere. Mr. Stewart hoped the City would at least consider the idea of separating the drinkers from the non-drinkers.

Mr. Joe Hessmann said he had been a resident of Fort Lauderdale for 40 years, and he had a 16-year old son who worked at Evangeline on the beach. He advised that when this issue had been discussed last, he had quoted a Letter to the Editor that had appeared in the "Fort Lauderdale News" some 15 years ago. That letter had begged the City to clean up the beach, and the voters had invested a lot of money in a beach everyone could be proud of.

Mr. Hessmann thought adoption of this ordinance on first reading had certainly "got into the pockets" of Club Atlantis because, after 1-1/2 years of complaints, destruction of private property, and harassment, its owners had finally stepped up with a list of changes that could be made. That list had been accompanied with some harsh words from the Club's attorneys about what the City Commission could and could not do. Mr. Hessmann hoped the Commission would adopt this ordinance to "stop the monster" that had created so much hardship for so many people for so long.

Mr. Diego Riva, of Hialeah, stated that the young people here tonight were a family that loved music, and he did not think they should be separated by who drank and who did not. He felt art was what made people human. Mr. Riva also pointed out that alcohol was served at various entertainment venues, including baseball games, plays, football games, etc., but young people were not banned, and they could get alcohol from lots of other places if they wanted to.

Mr. John Doyle, of Fort Lauderdale, said he was not insensitive to the needs of young people, but the City Commission had a much larger constituency to answer to, and safety and preservation of rights were very important. He thought that if this ordinance could protect and preserve the safety of those who lived on the barrier island, he supported it fully.

At 9:02 P.M., Commissioner Hutchinson left the meeting. She returned at 9:05 P.M.

Ms. Cheryl Pendergrast, of Hollywood, thought the statistics showed the problem was not the young people. She did not think it was reasonable to expect club owners to stop serving alcohol because that was how they made their money. Ms. Pendergrast believed that if the Culture Room, for example, had to close the bar in order to let the bands play, it would not be able to make enough money. Therefore, the owner would not close the bar, and the bands would have nowhere to play. She thought it would be in the City's best interests to keep the kids in the clubs watching bands play rather than forcing them elsewhere.

Commissioner Smith inquired about the cover charge at the Culture Room. Ms. Pendergrast replied it was \$3 for those over 21 years of age, and \$7 for those under 21. Commissioner Smith understood she thought the profit was in the alcohol sales and wondered if she thought it would help to increase the cover charge. Ms. Pendergrast hoped that would not happen because the young people could not afford it.

Mr. Matthew Harper, of Fort Lauderdale, was present in support of the South Florida music scene, and he believed this ordinance would cause major problems. He understood there were problems at the beach, but there had always been problems at the beach.

Mr. Daniel Kearns said he was representing the Atlantis Beach Club. He acknowledged that there were problems at the beach, and he had come up with a comprehensive plan to try to solve those problems relating to the Atlantis Beach Club. Mr. Kearns stated that if the Club Atlantis was, in fact, the problem, he had come up with a plan to address concerns. He did not understand why the Commission would not give him the opportunity to deal with the issues before taking this action. Mr. Kearns pointed out that there was a new midnight ordinance that had not yet been tested, and the number of arrests had been miniscule compared to the number of people who came through the doors of the Club. He presented a videotape filmed at the Club and pointed out the security people with headsets and the use of identification scanners. Mr. Kearns stated that he was working earnestly to address the problems, and he hoped the Commission would give him sufficient time to implement the plan.

Commissioner Smith understood Mr. Kearns had a "hot line" so people could report problems at any time. Mr. Kearns agreed it had gone into effect today. Commissioner Smith advised that his staff had called the hot line at 4:00 P.M. today and had yet to receive a response. Mr. Kearns said it had gone in tonight, and he could not call back because he was here and not at the Club.

Mr. Greg Gershengorn, said he was a member of the band "Crease," which had obtained a record deal in December. He believed the band had received this record deal because of its young audience in Fort Lauderdale. Mr. Gershengorn agreed the problems should be resolved, but he did not believe this ordinance was the answer.

Mr. Greg Aliferis, owner of the Culture Room, said he lived, paid taxes and voted in Fort Lauderdale. He did not think the problem on the beach revolved around whether a 20-year-old could enter a nightclub. Rather, he thought the problem was that the City Commission had created a 4:00 A.M. playground, and the residents were tired of it. Mr. Aliferis pointed out that the Police Department could not control the situation on the beach now, and this ordinance would only put more people out on A-1-A.

Mr. Aliferis suggested that the beach be closed at 2:00 A.M. so the residents of the area could get the peace and quiet they deserved. He noted that a curfew had been implemented in Fort Lauderdale, but it was never enforced. Mr. Aliferis said he was talking about the people who were hanging around on the beach. He stated that his club catered to a clientele of all ages where responsible adults over the age of 21 could purchase alcohol. Mr. Aliferis stated that he had been able to maintain this format without difficulty, and there had only been 1 arrest at the Culture Room in 2-1/2 years. Now he was being told to change his format, but he could not survive without. Mr. Aliferis was pleased that people were willing to donate money for the music scene, but the sound system at his club alone had cost \$100,000, and the lighting equipment cost \$50,000.

Mr. Aliferis believed this ordinance would punish responsible business owners for problems the City could not control on the beach. He was angry that so many people had to spend so much time and effort to bring attention to this issue. Mr. Aliferis stated that 1,100 people had come to the Culture Room on Friday, and there had been no problems at all. He wanted the City to leave him alone and deal with the problems.

Mr. Christof Baldwin, of Fort Lauderdale, explained that the admission prices could not be raised because young people did not have a lot of money. He thought those who opposed the ordinance were in the majority, and he believed there were ways to address the problems on the beach.

Mr. Peter Aponte, of Fort Lauderdale, said he was 22 years old, and he thought everything he wanted to say had already been said. He stated that being in a band and going to shows was a great outlet for young people, and he thought this ordinance would create a much larger problem than the problem the City was trying to solve.

Mr. Chris Garlewsky, of Fort Lauderdale, said he was a frequent visitor to the Culture Room, and he had never observed any problems with underage drinking. He thought the City should deal with the problem at the beach.

Mr. Ari Rosenberg, of Deerfield Beach, said he went to the clubs to see the bands, but these were not the kinds of bands that could sell out all the seats in the large venues.

Mr. Cameron Kirk, of Fort Lauderdale, said he lived only a couple miles from Club Atlantis, but he preferred to go to the Culture Room because there were problems on the beach.

Mr. Jay Ranno, of Fort Lauderdale, was confused by the notion that the City Commission would adopt an ordinance that applied to the whole City just because there were problems with one club on the beach. In fact, he did not think the problem with underage drinking was due to the clubs because he had never seen an underage person served alcohol in a club. Mr. Ranno believed that if kids did not have clubs to go to they would hang out on the streets and drink beer.

Ms. Victoria Stepanenko, of Fort Lauderdale, read aloud a letter from her father. The letter indicated that kids today were simply developing their own style, and clubs provided a place for youth to expend their energy on the dance floor. He believed this was better than kids with idle minds, roaming around looking for trouble. Mr. Stepanenko also felt this ordinance infringed on the Constitutional rights of free speech and assembly.

Mr. Adam Forst, of Boca Raton, said he had been going to clubs for years, and he had never been served an alcoholic drink. He believed the drinking was going on outside. He also thought it was interesting to note that none of the patrons of Club Atlantis had appeared this evening.

Ms. Kathleen Anderson, of Hollywood, said she was attending college, and she was angry that the City would discriminate against her because she had decided to go to college before joining the Air Force. She was angry about a blanket solution to a specific problem, and she thought the Fort Lauderdale Police Department should enforce existing laws. Ms. Anderson hoped that if the City passed this ordinance, it would provide some activities to replace the clubs.

Ms. Jennifer Sebastian, of Fort Lauderdale, said she was the “door girl” at the Culture Room. She stated that identification was thoroughly checked to ensure there was no underage drinking, and security was provided. She did not think the young kids could afford higher admission prices, and she felt the shows were a positive way for young people to expend energy. Ms. Sebastian believed the music allowed young people a positive way to express themselves.

Mr. Guy Haubrich, of Fort Lauderdale, said he had worked in 10 different clubs, and he had never witnessed the “hedonistic” behavior that had apparently prompted this ordinance. He did not think all the clubs should be punished just because there were problems at one of them. Mr. Haubrich believed kids were much more mature now than they had been when he was 18, and the drinking age had been 18 at that time.

Mr. Ryan Reeb, of Coral Springs, was upset. He said music was a passion with him, and he thought this ordinance would “starve the scene.”

Mr. Kenneth Burns, of Hollywood, believed everything that had to be said had been said, but he wondered about bowling alleys. He did not think they made half their money from food sales, and he wondered if this ordinance would prevent kids aged 18 to 20 from bowling without their parents. Mr. Burns believed the Commission needed more information before adopting this ordinance.

Mr. Robert Rovikas said he had lived in Fort Lauderdale for 30 years, and he had attended and played shows for 8 years. He stated that he had never experienced any problems until this situation with Club Atlantis that was threatening the entire scene. Mr. Rovikas thought the City should target that club and isolate the problem because it had nothing to do with the rest of the clubs.

Mr. Jay Harper, of Sunrise, thought the idea of an organization to promote music in Fort Lauderdale was a good idea, but young adults did not want anyone telling them what they should be doing any more than he would tell his elders that they should play bingo on the weekends. He added that he was 21 years old, and he drank, but his younger friends drove him home because they were not drinking.

Ms. Daniela Perez, of Fort Lauderdale, considered herself a mature, responsible adult who worked full-time and attended school full-time. Although she did not often have time to go out, it was nice to know there were local clubs she could go to for a nice time. Ms. Perez did not understand why some of her peers abused the privileges of adulthood, but she did not think everyone should pay for their mistakes. She thought there would be fewer problems on the beach if the City’s curfew was enforced, but there was crime everywhere, and she did not think it should be used as an excuse to discriminate.

Mr. Steve Vazquez said he had played at the Culture Room for 2 years, and he had never seen any underage drinking. In fact, he understood the owner of that club had never been cited, and the problem was Club Atlantis.

Mr. Kevin Scully, of Sunrise, thought having shows without alcohol was a “cute” idea, but it would never happen. He did not believe young people could afford to pay more than \$7 to attend a local show. Mr. Scully felt this ordinance would destroy the local music scene and a huge part of all the young people present. He did not think it was fair to punish so many because so few caused problems at the beach. Mr. Scully also believed that if the problem involved underage drinkers, they had fake identification; therefore, this ordinance would not address the issue. He hoped the Commission would be fair.

At 9:45 P.M., Commissioner Katz left the meeting. She returned at 9:47 P.M.

Mr. Michael Bullard believed that alcoholism was a problem in America, but it had no age barrier. He said he had worked at the Culture Room for several years with a lot of local and national acts, and many of the young people were inspired by the music. Mr. Bullard felt the problem was on the beach, and it had nothing to do with this “extended family.”

Ms. Pamela Andros, of Palm Beach, said she was a caterer, a promoter, a band owner, and a consumer. She also worked for the Florida Panthers, and she thought parents would no longer be able to bring their kids to games if this ordinance was adopted. In addition, there were events and outings at arenas that would no longer be allowed. She wondered if the City was prepared to deal with all the fake identification that would be produced because all it took was a computer and a laminate machine. Ms. Andros felt the clubs provided some control now, but soon they would have nothing to do but run around. She was also concerned about all the sports franchises that would be affected.

Mayor Naugle explained that this ordinance would apply only to Fort Lauderdale, and the venues mentioned by Ms. Andros were outside the City. He also did not think such facilities would be covered by this ordinance.

Mr. Robert Sanders, of Fort Lauderdale, pointed out that there was no one present who was complaining about the Chili Pepper or the Culture Room. He suggested the City use the midnight permit law to target specific clubs that were causing an inordinate number of problems. Mr. Sanders said he lived in a quiet neighborhood rather than in the back yard of an entertainment zone, and the beach belonged to everyone. He pointed out that there were quiet neighborhoods people could live in if they wanted peace and quiet, and he hoped the Commission would not make the young people the scapegoats. Mr. Sanders submitted a petition containing 841 signatures of people who could not come tonight because of the weather.

Mr. Sanders suggested the Commission defer this ordinance for 90 days so staff could continue to work with the Club Atlantis and with the new midnight permit ordinance in conjunction with the police in order to address the problem at the beach. He believed that had been the reason for the midnight permit law, and he felt the Commission should put it to the test. Mr. Sanders hoped the Commission would not discriminate on the basis of age against voting adults.

Mr. Shane Galiane, of Fort Lauderdale, said he worked in the marine industry, but apparently the Commissioners did not think he was as good as those in the military. Mayor Naugle stated that there was precedent around the nation with different laws that treated military personnel in a special way when they were serving their country. He advised that this ordinance allowed young military personnel into clubs, but they could not drink until they were 21 either. Mr. Galiane said he was a registered voter who paid taxes in Fort Lauderdale, but he was not good enough to go into local clubs.

Mayor Naugle thought that if this ordinance passed, there would still be music venues, but they would not serve alcohol. He stated that years ago when the drinking age had been 21, younger people were not allowed in clubs. Then, the drinking age had been lowered to 18, but the federal government had subsequently mandated that all State raise the drinking age to 21. At that time, some of the clubs had started using various methods to identify those who could drink from those who could not.

Ms. Lara Ingram, of Davie, sympathized with those who were bothered by noise, but she did not think it was reasonable to shut down all the clubs in Fort Lauderdale. She did not think it was fair, and she suggested that the real problem be addressed.

Ms. Erin Oden, of Davie, said there was nothing to do in Davie. She said she did not drink, and the clubs were not dangerous, so they gave her something to do. She was sorry about the problems on the beach, but she believed the Club Atlantis was working on it, and area residents had chosen to live in the neighborhood.

Mr. George Panagrotopoulos, of Hollywood, stated that there had been 2 underage clubs in Hollywood at one time, but they had closed down in 3 months. He believed the profit was in alcohol sales, and closing the clubs to those under aged 21 would just force them outside where they would make even more noise. Mr. Panagrotopoulos thought that if people objected to noise, they should not have moved into an entertainment area. He also noted that if Club Atlantis was sincere about helping to resolve the problem, it could change its format to serve those over 21 years without affecting the rest of the City.

Mr. Tanner Demmery, of Fort Lauderdale, believed that passing a law that discriminated was a weak attempt to remedy a much more complex problem. He pointed out that this would a blanket policy that "scapegoated" the youth of Fort Lauderdale and denied people their freedom. Mr. Demmery felt this ordinance would deny culture and the arts to young people. As a performer he had seen that those under 21 years of age were instrumental in supporting many bands. He believed this ordinance would cripple entertainers and the establishments that housed them and kill the downtown area.

Ms. Gina Gregolitto, of Pompano Beach, said her son performed in a band that appeared at the Culture Room. She stated that he spent a lot of time taking lessons and creating music, and places like the Culture Room and the Chili Pepper kept a lot of kids off the beach. As a parent, Ms. Gregolitto enjoyed the opportunity to spend time with her son, and she thought this ordinance would just force kids right down to the beach.

Ms. Kendall Berrota, of Pompano Beach, said that musicians needed a wide audience so their music was heard by everyone and not just one age group. She believed music did a lot of good, and she did not think this issue was about alcohol because it was easy to get alcohol at any grocery or convenience store.

Ms. Amanda Stevenson, of Fort Lauderdale, said she loved the Culture Room. She believed there was much more underage drinking going on in parking lots than in any club, and she had never seen underage drinking at the Culture Room. Ms. Stevenson felt young people needed places where they could relax and have fun, and she did not know what she would do without the clubs.

Mr. Mark Burd, of Tamarac, believed freedom was the issue. He felt that if this country was going to push young people to vote, its elected officials should listen to what they had to say. He hoped the Commission would protect the freedom of young people and prove to them that the political process was not pointless.

Mr. Clint Jacoby, of Pompano Beach, thought adoption of this ordinance would stifle people's ability to live a decent lifestyle because so many made a living working at the clubs and in the industries that manufactured musical instruments and equipment.

Mr. Jeffrey O'Connell said he belonged to a local band that played a lot of venues, and the young adults were an important component of his audience. He stated that when his band played at the Culture Room, they often opened the stage to some of the local kids to perform, and he did not think the problems on the beach stemmed from the 18- to 21-year-old crowd. Mr. O'Connell thought the solution was for club owners and others to take responsibility rather than punishing the entire City.

Mr. Tim Schiavone, of the "world famous" Parrot Lounge, was sure the young people present this evening were not the ones causing the problems on the beach. He wanted a safe, clean environment on the beach, and he had worked with the community to achieve that goal, but he did not think imposition of a blanket law was fair. In fact, he had been opposed to the midnight permit ordinance, but it was a tool that could be utilized.

Mr. Schiavone believed the 51% rule would cause a lot of problems in Fort Lauderdale. He pointed out that there were quite a few fine restaurants that served families that did not meet the 51% rule, and he hoped the Commission would take the time necessary to do this correctly. Mr. Schiavone felt Club Atlantis should do the right thing, and the young people should police themselves as well. He also thought the right think for the Commission to do tonight would be to postpone this ordinance.

Mr. Mike DeCamp, of Coral Springs, thought it spoke volumes that so many people had come out tonight under poor weather conditions. He stated that they had all worked hard to raise awareness about this issue, and he pointed out that there were 2,200 registered voters in Fort Lauderdale between the ages of 18 and 21. Mr. DeCamp said that if this law was passed, those voters would be heard.

Ms. Jennifer Groetz, of Fort Lauderdale, stated that there were several people in her band who were under age, and a lot of underage people came to see them perform. She thought it was clear that the majority of people in this room wanted the City Commission to do what was best for everyone, and she encouraged them not to adopt this ordinance. Ms. Groetz hoped the Commission would have the same faith in the young people here as they had in the Commission.

Mr. Craig Fisher, of the Leisure Beach Condominium, was sure everyone loved music, and he had served on the Beach Safety Council as a volunteer because he cared about this community. He pointed out that if this ordinance did not resolve the problems on the beach, it could be revisited, but he felt Fort Lauderdale needed the law as soon as possible. Mr. Fisher noted that residents of the beach had paid dearly for their homes and paid high taxes too, and he hoped the Commission would not allow the destruction of the beach just because someone wanted to make a profit at the expense of residents.

Ms. Andrea Galiano, of Fort Lauderdale, said she went to the Culture Room with her 15-year-old daughter because she did not want her around underage drinkers. She understood her daughter would still be able to keep going to the club because she would go with her, but she did not think it was fair to ban older young people.

Mr. Norm Schwartz, of Fort Lauderdale, acknowledged that there were problems on the beach, but this ordinance affected the entire City. It appeared Club Atlantis had finally indicated an interest in resolving the situation, and he thought it might be wise to defer this ordinance for a couple of months to see if the problems would work themselves out. Mr. Schwartz did not want to punish the good clubs, and he believed this ordinance would produce a lot of expensive litigation. He was hopeful that the midnight permit ordinance would provide some relief, and he thought it was a better solution because it targeted specific problems.

Mr. Scott Davidson, of Davie, said he was in a local band, and he pointed out that most parents did not want to go to clubs with their kids. He stated that he had chosen a career in music because he could not afford to go to college and, if this ordinance passed, yet another of his dreams would be destroyed.

Mr. Patrick Barstow, publisher of "Around Town," advised that he was 73 years old, and he had raised 4 children who had also claimed they had nothing to do and nowhere to go. He pointed out that Fort Lauderdale was a tourist town that was supported by the hospitality industry, and businesses were being lost every day. Mr. Barstow believed this if this ordinance was adopted, families with young adults would change their vacation plans. He hoped the Commission would give this ordinance some very careful consideration because he believed it could greatly affect the economy and the Commission would regret its adoption.

Before proceeding with the hearing, Mayor Naugle announced County election results. He noted that Commissioner Moore might be back as a member of the City Commission.

Commissioner Smith asked those in the audience under 21 from Fort Lauderdale to stand. He then asked those to remain standing who had voted in the election today. He pointed out that not one person remained standing. Commissioner Smith asked those over the age of 25 who were present in support of this ordinance to stand, and he asked those who had voted to remain standing. He pointed out that about 50% remained standing, and he hoped the young people present would take note of the fact that they were failing to take advantage of their right to vote.

Commissioner Smith said the Commission was here to do the right thing even if it was not the popular thing. He favored the ordinance, and he believed there were a lot of misperceptions about it. For example, club employees including band members were exempt, and young people who were with someone over 21 were exempt from the ordinance as well. Commissioner Smith noted that the problem today was with the Club Atlantis, but last year Roxy's had been the problem. He pointed out that there had been problems with clubs in Fort Lauderdale for decades, and the Commission represented 160,000 people.

Commissioner Smith thought it was unfortunate that there was a market among irresponsible young people, although he doubted any were here tonight. As a result, there would always be irresponsible adults with profit motives who targeted that market. He pointed out that this had been the case throughout the history of the City, and some people seemed to think it was acceptable to throw bottles through people's windows.

Commissioner Smith acknowledged that this ordinance could not solve the whole problem, and a three-pronged approach was being taken with the midnight permit ordinance, this ordinance, and consideration of changing 4:00 A.M. closing times to 2:00 A.M. in order to curb those people who wanted to make money at the expense of the citizens.

Commissioner Smith said he wanted to find some way to accommodate the responsible music scene everyone wanted to preserve. He wished to explore the idea of splitting clubs with portions set aside for drinkers and non-drinkers, but he also supported this ordinance.

Commissioner Hutchinson did not support the ordinance. She agreed there was a problem on the beach, but she did not believe that keeping people under 21 years of age out of clubs would resolve it. She pointed out that the problem with Roxy's had evidently been resolved without this ordinance since there was no one from that neighborhood present tonight. Commissioner Hutchinson said there were clubs in her district that did not derive 51% of their revenues from food sales, but they were good places to shoot pool, and there were no problems. She thought the problem might be that special entertainment districts had been created abutting residential neighborhoods. Commissioner Hutchinson did not think this ordinance would resolve the problems, and the midnight permit ordinance provided a tool for shutting down nuisance clubs, but it had not yet been used. She felt passing this ordinance would be a mistake.

Commissioner Katz agreed with Commissioner Smith. She did not think this was a beach problem, although the Club Atlantis had been the catalyst for this ordinance. She pointed out that problems with clubs could and did occur anywhere. Commissioner Katz agreed that this ordinance was not perfect, but she thought it was clear that existing tools were insufficient. She sympathized with the young people who enjoyed the Culture Room and the Chili Pepper, and she thought it might be wise to work with Mr. Forgea's group to provide some viable place for the kids. Commissioner Katz pointed out that these kids had indicated they were not interested in drinking but in listening to music, and she was sure no one had any objection to that.

Mayor Naugle suggested that the young people present give their names to the City Clerk so they could work with Mr. Forgea and the club owners on a viable alternative. He thought it was wonderful that Mr. Forgea had received some funding commitments, and he felt some venues for music at a reasonable cost could be found to fill the void.

Commissioner Smith introduced the following ordinance on second reading:

ORDINANCE NO. C-00-54

AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING SECTION 5-36, ENTITLED "PATRON AGE RESTRICTIONS," PROHIBITING PERSONS UNDER THE AGE OF 12 FROM ENTERING OR REMAINING, OR FROM BEING PERMITTED TO ENTER OR REMAIN, WITHIN ALCOHOLIC BEVERAGE ESTABLISHMENTS, PROVIDING FOR DEFINITIONS, EXCEPTIONS AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, and Mayor Naugle. NAYS: Commissioner Hutchinson.

At 10:50 P.M., the meeting was recessed. It was reconvened at 10:57 P.M.

**Amendment to Section 8-156 and ULDR Section 47-19 –
Pumpout Hose Assembly for Marine Sanitation Devices to be
Equipped with Clear Sight Tubes (O-6)**

An ordinance was presented amending Section 8156, "Marine Sanitation Systems," of the Code of Ordinances and amending Section 47-19, "Habitation on Floating Homes and Vessels," of the Unified Land Development Code of the City, providing that each pumpout hose assembly for marine sanitation devices shall be equipped with a clear sight tube. Ordinance No. C-00-53 was published on September 9, 2000 and was passed on first reading at the Regular Meeting of September 19, 2000 by a vote of 4 to 0.

Commissioner Smith introduced the following ordinance, as amended, on second reading:

ORDINANCE NO. C-00-53

AN ORDINANCE AMENDING SECTION 8-156, MARINE SANITATION SYSTEMS, OF THE CODE OF ORDINANCES AND AMENDING SECTION 47-19, HABITATION ON FLOATING HOMES AND VESSELS, OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT EACH PUMP OUT HOSE ASSEMBLY FOR MARINE SANITATION DEVICES SHALL BE EQUIPPED WITH A CLEAR SIGHT TUBE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: None.

Amend ULDR Section 47-13.20 – Allocation of Residential Units and Site Plan Approval in the Downtown Regional Activity Center (RAC) – City of Fort Lauderdale (PZ Case No. 4-T-00) (O-7)

At the Planning and Zoning Board regular meeting of August 16, 2000, it was recommended by a vote of 5 to 4 that the following application be approved. Ordinance No. C-00-57 was published on September 9, 2000 and was passed on first reading at the Recessed Regular Meeting of September 26, 2000 by a vote of 4 to 0.

Applicant: City of Fort Lauderdale/Construction Services Bureau
Request: Amend ULDR Section 47-13.20 to change the process for Allocation of Residential Units and Site Plan Approval in the Downtown RAC, and the process for Site Plan Approval for parcels along the New River

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to defer second reading to October 17, 2000 at 6:00 P.M. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Chapter 28 – Water, Wastewater and Stormwater (Water and Sewer Rate Increase) (O-8)

An ordinance was presented amending Chapter 28 of the Code of Ordinances entitled, "Water, Wastewater and Stormwater," by amending Sections 28-76, 28-141, 28-143, 28-144 and 28-145 thereof, to increase wastewater user rates, tapping charges, water rates, sprinkling meter charges, and private fire service protection charges. Notice of the proposed ordinance was published on August 27, 2000. On September 6, 2000, first reading was deferred to October 3, 2000 by a vote of 5 to 0.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-00-61

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "WATER, WASTEWATER AND STORMWATER," BY AMENDING SECTIONS 28-76, 28-141, 28-143, 28-144, AND 28-145 THEREOF, TO INCREASE WASTEWATER USER RATES, TAPPING CHARGES, WATER RATES, SPRINKLING METER CHARGES, AND PRIVATE FIRE SERVICE PROTECTION CHARGES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Section 6-4 – Permits Authorizing Dogs on Sidewalks or Public Property on the West Side of State Road A-1-A (O-9)

An ordinance was presented amending Section 6-4 of the Code of Ordinances to provide for the issuance of permits authorizing dogs on sidewalks or public property on the west side of those portions of State Road A-1-A south of Sunrise Boulevard and adjacent to the sandy beach, subject to certain restrictions and conditions, for a trial period to expire sixty (60) days from the effective date unless otherwise extended. Notice of the proposed ordinance was published on September 23, 2000.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-00-62

AN ORDINANCE AMENDING SECTION 6-4 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE FOR THE ISSUANCE OF PERMITS AUTHORIZING DOGS ON SIDEWALKS OR PUBLIC PROPERTY ON THE WEST SIDE OF THOSE PORTIONS OF STATE ROAD A-1-A SOUTH OF SUNRISE BOULEVARD AND ADJACENT TO THE SANDY BEACH, SUBJECT TO CERTAIN RESTRICTIONS AND CONDITIONS, FOR A TRIAL PERIOD TO EXPIRE SIXTY DAYS FROM THE EFFECTIVE DATE UNLESS OTHERWISE EXTENDED.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Chapter 20 – General Employees’ Retirement System – Broward County Local Union, Local 532, AFSCME Collective Bargaining Agreement (O-10)

An ordinance was presented amending Chapter 20, Division 2, of the Code of Ordinances pertaining to the General Employees’ Retirement System by amending Section 20-110(a) entitled, “Normal Retirement Pension,” to provide an increased benefit accrual formula for Group I members; to provide a maximum benefit accrual for Group I members; to provide an option to retain former benefit accrual rate formula without regard to the maximum benefit accrual formula; by amending Section 20-110(c) entitled, “Disability,” to permit the Board of Trustees, upon certain terms and conditions, to equitably apportion disability benefits for employees returning to work; to permit the retroactive award of disability benefits for a period not to exceed six months; by amending Section 20-112, “Contributions,” to provide for cessation of employee contributions for employees who attain maximum benefit accrual; by amending Section 20-115(h), “Denial of Claim,” relating to procedures in the event of a denial of a claim; and, by creating a new Subsection 20-115(l) entitled, “Overpayment of Benefits,” addressing venue, interest accrual and provision for attorneys’ fees in the event of litigation to collect overpayment of benefits.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-00-63

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 2, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE CITY OF FORT LAUDERDALE’S GENERAL EMPLOYEES’ RETIREMENT SYSTEM BY AMENDING SECTION 20-110(A), ENTITLED NORMAL RETIREMENT PENSION, TO PROVIDE AN INCREASED BENEFIT ACCRUAL FORMULA FOR GROUP I MEMBERS; TO PROVIDE A MAXIMUM BENEFIT ACCRUAL FOR GROUP I MEMBERS; TO PROVIDE AN OPTION TO RETAIN FORMER BENEFIT ACCRUAL RATE FORMULA WITHOUT REGARD TO THE MAXIMUM BENEFIT ACCRUAL FORMULA; BY AMENDING SECTION 20-110(C), ENTITLED DISABILITY, TO PERMIT THE BOARD OF TRUSTEES, UPON CERTAIN TERMS AND CONDITIONS, TO EQUITABLY APPORTION

DISABILITY BENEFITS FOR EMPLOYEES RETURNING TO WORK; TO PERMIT THE RETROACTIVE AWARD OF DISABILITY BENEFITS FOR A PERIOD NOT TO EXCEED SIX MONTHS; BY AMENDING SECTION 20-112, CONTRIBUTIONS, TO PROVIDE FOR CESSATION OF EMPLOYEE CONTRIBUTIONS FOR EMPLOYEES WHO ATTAIN MAXIMUM BENEFIT ACCRUAL; BY AMENDING SECTION 20-115(H), DENIAL OF CLAIM, RELATING TO PROCEDURES IN THE EVENT OF A DENIAL OF A CLAIM, BY CREATING A NEW SUBSECTION 20-115(L), ENTITLED OVERPAYMENT OF BENEFITS, ADDRESSING VENUE, INTEREST ACCRUAL AND PROVISION FOR ATTORNEYS' FEES IN THE EVENT OF LITIGATION TO COLLECT OVERPAYMENT OF BENEFITS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Plat Approval – “Dolphin Plat” – Transportation Financial Capital Group, Inc. (PZ Case No. 5-P-00) (R-1)

At the regular meeting of the Planning & Zoning Board on August 16, 2000, it was recommended by a vote of 9 to 0 that the following application be approved.

Applicant: Transportation Financial Capital Group, Inc.
 Request: Plat Approval – “Dolphin Plat”
 Location: Southeast corner of the Cordova Road cul-de-sac between Southeast 10th Avenue and Southeast 15th Avenue

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-144

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS “DOLPHIN PLAT”.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Site Plan Approval/Temporary Parking Lot – Fort Lauderdale Crown Center, Inc. (PZ Case No. 71-R-00) (R-2)

A resolution was presented approving the site plan for a temporary parking lot as described below. The site plan was reviewed by the Development Review Committee on June 13, 2000 and, pursuant to Ordinance No. C-97-7, was brought before the City Commission for consideration of approval.

Applicant: Fort Lauderdale Crown Center, Inc.
 Request: Site plan approval for temporary parking lot
 Location: North side of Cypress Creek Road (Northwest 62nd Street) between Northwest 12th Avenue and Northwest 15th Avenue

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A TEMPORARY PARKING LOT LOCATED ON THE NORTH SIDE OF N.W. 62ND STREET BETWEEN N.W. 12TH AVENUE AND N.W. 15TH AVENUE, FORT LAUDERDALE, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Joint Project Agreement (JPA) – Broward County – Design and Construction of 8” Water Main in Washington Park (R-3)

A resolution was presented authorizing the proper City officials to execute a JPA with Broward County for its design and construction of an 8” water main in conjunction with its construction of sanitary and storm sewers in the Washington Park area of unincorporated Broward County.

Commissioner Katz asked why the City was doing this if the affected area was in the unincorporated area. Mr. Frank Coulter, Public Services Department, explained that the system was funded by water fees, and this area was a customer. He stated that the City funded the system with the fees collected regardless of location.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PROJECT AGREEMENT WITH BROWARD COUNTY, FLORIDA, PROVIDING FOR INFRASTRUCTURE AND WATER UTILITY FACILITY IMPROVEMENTS WITHIN THE UNINCORPORATED AREA KNOWN AS WASHINGTON PARK.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Building Board-Up and Securing Charges (R-4)

A resolution was presented authorizing the proper City officials to impose liens against certain properties for costs associated with boarding and securing buildings located thereon.

Commissioner Smith desired more information about the major board-ups. He wondered if the cases had been forwarded to the City Attorney’s Office for foreclosure action, and he noted that the first case involved a property at 100 North Federal Highway. Mr. John Simmons, Assistant Director of Community Inspections, did not see that address on his list. Commissioner Smith believed the list had been revised and no longer included that property, and he wondered why. Mr. Simmons agreed to provide a report. Commissioner Smith said that if it was the building he thought it was, it had been a scourge on the neighborhood for a long time.

Commissioner Smith inquired about the Bankers Trust property. Mr. Simmons believed that was the property at 526 Northwest 9th Avenue, and he advised that it involved 4 fourplexes that had been boarded several times. Mayor Naugle believed one of the buildings had been demolished. Mr. Simmons advised that two had been demolished. Commissioner Smith asked if foreclosure was possible. Mr. Simmons advised that staff was examining the liens. He added that board-up certificates were now being required, and plans for rehabilitation should result.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Purchase – Two Chassis/Cab with Trash Bodies (Pur. 2)

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz to reconsider Item No. Pur. 2 from the September 19, 2000 meeting. Roll call showed: YEAS: Commissioners Katz, Smith and Hutchinson. NAYS: Mayor Naugle.

Commissioner Hutchinson explained that she had some questions about this item and wanted to reconsider it on October 17, 2000. The City Attorney agreed it would be more appropriate to defer the item so the interested parties could be present.

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz to defer this item to October 17, 2000. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Beach Redevelopment Advisory Board Desorae Giles-Smith

Budget Advisory Board Wendy Beninate

Community Services Board

Jennie Brooks
Jerome Hankerson
Marsha Goldsby

Historic Preservation Board

Jeryl Madfis

Parks, Recreation & Beaches
Advisory Board

Scott Strawbridge
Julie Cameron
John Rude
Albert Massey, III
Joan M. Kretz
John Melnicoff
Robert Hoysgaard
Charlotte Honea
Jim Gouveia
Alan MacLeod
Jack Mertz
Ozzie Davenport
Elizabeth Hayes
Joe Shover
Tim Nast

Commissioner Katz introduced a written resolution entitled:

RESOLUTION NO. 00-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Broward County Parks Bond (OB)

Commissioner Smith felt the County should at least guarantee that at least 50% of the monies contributed by Fort Lauderdale taxpayers to the Broward County Parks Bond Issue would come back to the City in the form of projects. He pointed out that \$32 million would still be sent outside the City, and most of the contributions to the library bond from Fort Lauderdale had been spent outside its limits. Commissioner Smith thought it was time for the Commission to ensure its taxpayers received its fair share. Unless the County guaranteed that, he felt the City should oppose the County's bond issue.

The City Manager advised that he had been contacted by Steve Sommerville, of Broward County, this afternoon. He had stated that the County Commission had heard the comments of the City Commission at its meeting today about Fort Lauderdale getting its fair share. The City Manager was hopeful that this could be worked out, and he wanted some time to work with County staff and to meet with the Commissioners.

Mayor Naugle said he had been encouraged by the discussion at the County Commission meeting today. He pointed out that projects in Fort Lauderdale could be addressed such as 15th Avenue or 13th Street. Commissioner Smith thought the City could float its own bond issue for those projects rather than sending \$32 million outside Fort Lauderdale. Mayor Naugle noted that if the County bond issue passed, the City would lose the money anyway.

Commissioner Smith pointed out that Fort Lauderdale was the largest City in Broward County and, if the City took a firm stand, he believed all of the other eastern cities would follow suit. He thought the Commission should stand firm since some \$64 million would be generated by Fort Lauderdale taxpayers, and he felt at least half should come back into the City.

Commissioner Hutchinson said she would be willing to wait until the next meeting to pass a resolution to give staff an opportunity to work with the County. She had not seen a groundswell of support for this bond issue anyway, and her district wanted a commitment about the sharing of the funds, but she thought it could wait two weeks. Commissioner Katz agreed the Commission should wait to hear from the County, but she did not think they should wait two weeks. She did not think that would leave enough time to campaign against it if that was the ultimate decision. Mayor Naugle suggested waiting until October 17, 2000.

Commissioner Smith wanted to decide tonight that unless Fort Lauderdale was assured a reasonable share of the bond monies, the Commission would consider a resolution opposing the County's bond issue. Mayor Naugle believed everyone did agreed Fort Lauderdale should get its fair share, but he did not want to end up paying the money anyway and getting nothing for it in return.

Mayor Naugle announced that George W. Bush had been considered the winner of the debates according to 62.6% of those surveyed.

At 11:20 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk